

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

February 12, 2010

Charles R. Fulbruge III
Clerk

No. 08-30716
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

KEITH PARKER,

Defendant-Appellant

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:05-CR-89-1

Before GARZA, DENNIS, and ELROD, Circuit Judges.

PER CURIAM:*

Appealing the judgment in a criminal case, Keith Parker argues that the district court abused its discretion in denying his motion to sever his felon-in-possession-of-a-firearm count because, despite a cautionary jury instruction, the fact of his prior conviction alone created substantial jury prejudice warranting reversal. This argument is foreclosed by *United States v. Bullock*, 71 F.3d 171, 175 (5th Cir. 1995), which held that proper jury instructions are sufficient to cure any possible prejudice resulting from the joinder of a felon-in-possession-of-

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

a-firearm count. The Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.